

**THE ATTACHED
AMENDMENTS
ARE TO BILLS
THAT WILL
BE
HEARD ON
HOUSE REGULAR
CALENDAR
TODAY
THURSDAY
FEBRUARY 24, 2022**

Amendment No. 1 to HB1754

White
Signature of Sponsor

AMEND Senate Bill No. 1833

House Bill No. 1754*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-5-112(a), is amended by deleting "grades nine through twelve (9-12)" and substituting "grades six through twelve (6-12)".

SECTION 2. Tennessee Code Annotated, Section 49-5-112(b)(2), is amended by deleting the subdivision and substituting instead the following:

(2) Submit for review by the department a letter of recommendation from a department academic chair or other equivalent authority at the applicant's institution documenting that the applicant for licensure is proficient or better in the subject area in which the applicant is seeking licensure; and

SECTION 3. This act takes effect July 1, 2022, the public welfare requiring it.

Amendment No. 1 to HB1753

Moody
Signature of Sponsor

AMEND Senate Bill No. 1834

House Bill No. 1753*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 49-6-6013, is amended by deleting the section and substituting instead the following:

(a) Tennessee comprehensive assessment program (TCAP) tests administered in the 2021-2022 and 2022-2023 school years must be administered in paper format for students in grades three through five (3-5). After the 2022-2023 school year, the commissioner of education shall determine the format for TCAP tests for students in grades three through five (3-5).

(b) TCAP tests administered in the 2021-2022 school year must be administered in paper format for students in grades six through eight (6-8). After the 2021-2022 school year, the commissioner shall determine the format for TCAP tests for students in grades six through eight (6-8).

(c) End-of-course assessments administered in the 2021-2022 school year must be administered in a computerized or online format for students in grades nine through twelve (9-12). After the 2021-2022 school year, the commissioner shall determine the format of end-of-course assessments for students in grades nine through twelve (9-12).

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 1 to HB0105

Crawford
Signature of Sponsor

AMEND Senate Bill No. 29*

House Bill No. 105

by deleting all language after the enacting clause and substituting the following:

SECTION 1. Tennessee Code Annotated, Section 8-50-107, is amended by adding the following as a new subsection:

(d)

(1) Notwithstanding a law, private act, charter, resolution, or ordinance to the contrary, a local government shall not have a residency requirement for first responders as a condition of employment.

(2) As used in this subsection (d), "first responder" means paid, full-time law enforcement officers, firefighters, and emergency medical personnel other than the chief or head of the department.

(3) This subsection (d) does not affect a local government's policy regarding the use of a vehicle while not on duty.

(4) This subsection (d) applies in a city having a population of not less than six hundred fifty thousand (650,000) nor more than six hundred fifty-five thousand (655,000) that is located in a county having a population of more than nine hundred thousand (900,000), according to the 2020 federal census or any subsequent federal census, and has an operational structure that budgets for one thousand six hundred (1,600) or more law enforcement officers.

SECTION 2. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 2 to HB0105

Miller
Signature of Sponsor

AMEND Senate Bill No. 29*

House Bill No. 105

by deleting SECTION 1(d)(4) and substituting:

(4) This subsection (d) applies in a county having a population of more than nine hundred thousand (900,000), according to the 2020 federal census or a subsequent federal census.

Amendment No. 3 to HB0105

Miller
Signature of Sponsor

AMEND Senate Bill No. 29*

House Bill No. 105

by deleting SECTION 1(d)(4) and substituting:

(4) As used in this subsection (d), "local government" means an incorporated city or town, a county, or a metropolitan form of government.

Amendment No. 4 to HB0105

Miller
Signature of Sponsor

AMEND Senate Bill No. 29*

House Bill No. 105

by deleting SECTION 1(d)(4) and substituting:

(4) As used in this section, "local government" means a county in this state.

Amendment No. 1 to HB1798

Ragan
Signature of Sponsor

AMEND Senate Bill No. 1717*

House Bill No. 1798

by deleting SECTION 2 and substituting the following:

SECTION 2. Tennessee Code Annotated, Section 4-29-246(a), is amended by inserting the following as a new subdivision:

() Local government planning advisory committee, created by § 4-3-727;

Amendment No. 1 to HB1651

Howell
Signature of Sponsor

AMEND Senate Bill No. 1760

House Bill No. 1651*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 13-7-208(b)(2), is amended by deleting the subdivision and substituting instead the following:

(2) When the use permitted to continue to expand or to be rebuilt pursuant to this section is an outdoor advertising device, as defined in § 54-21-102, such use does not preclude a new or additional conforming use or structure on the property on which the sign structure is located or on an adjacent property under the same ownership; provided, however, that such new or additional use or structure does not result in violations of the applicable zoning restrictions other than those nonconformities associated with the outdoor advertising device as allowed under this subdivision (b)(2).

SECTION 2. Tennessee Code Annotated, Section 13-7-208(c), is amended by deleting the following language:

and construct additional facilities which involve an actual continuance and expansion of the activities of the industry or business which were permitted and being conducted prior to the change in zoning

and substituting instead the language:

and construct additional facilities with current structural and illumination technologies that involve an actual continuance and expansion of the activities of the industry or business that were permitted and being conducted prior to the change in zoning

SECTION 3. Tennessee Code Annotated, Section 13-7-208(d)(1), is amended by deleting the following language:

shall be allowed to destroy present facilities and reconstruct new facilities necessary to the conduct of such industry or business subsequent to the zoning change and substituting instead the language:

are allowed to destroy present facilities and reconstruct new facilities with current structural and illumination technologies necessary to the conduct of such industry or business subsequent to the zoning change

SECTION 4. Tennessee Code Annotated, Section 13-7-208(h), is amended by deleting the following language:

Subsections (b)-(d) shall apply to an off-site sign which, for the purposes of this subsection (h), means any sign that advertises or gives direction to any business, product, service, attraction, or any other purpose or interest, other than the industrial, commercial or other business establishment located on the site where the sign is located; provided, however, that any expansion shall be limited as follows

and substituting instead the language:

Subsections (b)-(d) apply to an outdoor advertising device, as defined in § 54-21-102, that advertises or gives direction by means of illumination or non-illumination to a business, product, service, attraction, or other purpose or interest, other than the industrial, commercial, or other business establishment located on the site where the outdoor advertising device is located; provided, however, that an expansion or rebuilt means of illumination must be limited as follows

SECTION 5. Tennessee Code Annotated, Section 13-7-208(h), is amended by deleting the language "off-site sign" wherever it appears and substituting instead the language "outdoor advertising device"; and deleting the language "the sign" in subdivision (7) and substituting instead the language "the outdoor advertising device".

SECTION 6. Tennessee Code Annotated, Section 13-7-208(h), is amended by adding the following as a new subdivision:

() Any operation, rebuilding, or expansion of an outdoor advertising device involving a change in the means of illumination must meet all applicable requirements found in § 54-21-119(h).

SECTION 7. Tennessee Code Annotated, Section 13-7-208(i), is amended by deleting the subdivision and substituting instead the following:

Notwithstanding subsection (d), any structure rebuilt on the site must conform to the existing zoning regulations as to setbacks, height, bulk, lighting, or requirements as to the physical location of a structure upon the site; provided, that this subsection (i) shall not apply to outdoor advertising devices.

SECTION 8. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. 2 to HB1651

Hawk
Signature of Sponsor

AMEND Senate Bill No. 1760

House Bill No. 1651*

by adding the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act does not apply in counties having a population of not less than seventy thousand one hundred (70,100) nor more than seventy thousand two hundred (70,200), according to the 2020 federal census or any subsequent federal census.

Amendment No. 3 to HB1651

Clemmons
Signature of Sponsor

AMEND Senate Bill No. 1760

House Bill No. 1651*

by adding the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act does not apply in any county having a metropolitan form of government and a population in excess of five hundred thousand (500,000), according to the 2020 federal census or any subsequent federal census.

Amendment No. 4 to HB1651

Ramsey
Signature of Sponsor

AMEND Senate Bill No. 1760

House Bill No. 1651*

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. This act does not apply in municipalities in a county having a population of not less than one hundred thirty-five thousand two hundred (135,200) and not more than one hundred thirty-five thousand three hundred (135,300), according to the 2020 federal census or any subsequent federal census, that have a population, according to the 2020 federal census or any subsequent federal census, of the following:

not less than:

10,970

31,900

nor more than:

10,979

31,910

Amendment No. 5 to HB1651

Hulsey
Signature of Sponsor

AMEND Senate Bill No. 1760

House Bill No. 1651*

by adding the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act does not apply in a municipality in a county having a population of not less than one hundred fifty-eight thousand one hundred (158,100) and not more than one hundred fifty-eight thousand two hundred (158,200) or a population of not less than fifty-six thousand seven hundred (56,700) and not more than fifty-six thousand eight hundred (56,800), according to the 2020 federal census or any subsequent federal census, that has a population of fifty-five thousand four hundred forty (55,440) nor more than fifty-five thousand four hundred fifty (55,450), according to the 2020 federal census or any subsequent federal census.

Amendment No. 6 to HB1651

Crawford
Signature of Sponsor

AMEND Senate Bill No. 1760

House Bill No. 1651*

by adding the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act does not apply in a municipality in a county having a population of not less than one hundred fifty-eight thousand one hundred (158,100) and not more than one hundred fifty-eight thousand two hundred (158,200), according to the 2020 federal census or any subsequent federal census, that has a population of twenty-seven thousand one hundred forty (27,140) nor more than twenty-seven thousand one hundred fifty (27,150), according to the 2020 federal census or any subsequent federal census.

Amendment No. 7 to HB1651

Hulsey
Signature of Sponsor

AMEND Senate Bill No. 1760

House Bill No. 1651*

by inserting the following new section before the last section and renumbering the last section accordingly:

SECTION __. This act does not apply to a municipality in a county having a population of not less than ninety-eight thousand three hundred (98,300) and not more than ninety-eight thousand four hundred (98,400), according to the 2020 or a subsequent federal census, that has a population, according to the 2020 or a subsequent federal census, of:

- (1) Not less than three thousand five hundred seventy (3,570) and not more than three thousand five hundred seventy-nine (3,579);
- (2) Not less than seventeen thousand eight hundred eighty (17,880) and not more than seventeen thousand eight hundred ninety (17,890); and
- (3) Not less than six thousand three hundred forty (6,340) and not more than six thousand three hundred forty-nine (6,349).

Amendment No. 8 to HB1651

Zachary
Signature of Sponsor

AMEND Senate Bill No. 1760

House Bill No. 1651*

by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. This act does not apply in municipalities having a population, according to the 2020 federal census, of:

not less than:

3,570

6,340

17,880

23,500

31,900

41,330

45,370

51,320

83,450

nor more than:

3,579

6,349

17,890

23,510

31,910

41,340

45,380

51,330

83,460

Amendment No. 9 to HB1651

Gillespie
Signature of Sponsor

AMEND Senate Bill No. 1760

House Bill No. 1651*

by adding the following new section immediately preceding the last section and renumbering the subsequent section accordingly:

SECTION _____. This act does not apply in a county having a population of over nine hundred thousand (900,000), according to the 2020 federal census or any subsequent federal census.

Amendment No. 1 to HB1652

Vaughan
Signature of Sponsor

AMEND Senate Bill No. 2279

House Bill No. 1652*

by adding the following as new subsections in § 47-18-133 in SECTION 1:

(e) This section does not apply to the following:

(1) A state or national bank or trust company insured by the federal deposit insurance corporation or an operating subsidiary of that bank or trust company;

(2) A state or federal credit union insured by the national credit union administration;

(3) An individual or entity licensed by the department of financial institutions;

(4) A service provided by a business, or its affiliate, pursuant to:

(A) A franchise issued by a political subdivision of this state; or

(B) A license, franchise, certificate, or other authorization issued by the Tennessee public utility commission;

(5) An individual or business, or an affiliate of the individual or business, regulated by the Tennessee public utilities commission, the federal communications commission, or the federal energy regulatory commission; or

(6) A business licensed under title 56.

(f) As used in this section, "consumer" means an individual who acquires goods or services for personal, family, or household purposes.

Amendment No. 1 to HB1763

Curcio
Signature of Sponsor

AMEND Senate Bill No. 1802

House Bill No. 1763*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 39-17-402(12), is amended by adding the following as a new subdivision:

(D) Pill press devices and pieces of a pill press device, unless the pill press device or piece of a pill press device is used by a person or entity that lawfully possesses drug products in the course of legitimate business activities, including a pharmacy or pharmacist licensed by the board of pharmacy; a wholesale drug distributor, or its agents, licensed by the board of pharmacy; and a manufacturer of drug products, or its agents, licensed by the board of pharmacy;

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it, and applies to offenses committed on or after that date.

Amendment No. 1 to HB1867

Farmer
Signature of Sponsor

AMEND Senate Bill No. 1823

House Bill No. 1867*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 14, Chapter 6, is amended by adding the following as a new section:

(a) As used in this section:

(1) "Employer" means an entity that:

(A) Employs one (1) or more persons within this state; and

(B) Is not subject to the prohibition against compelling proof of vaccination in § 14-2-102(a); and

(2) "Staff member":

(A) Means a person required by an employer to provide proof of vaccination or receive the COVID-19 vaccine; and

(B) Includes:

(i) A person who is employed by an employer, as of the effective date of this act, and is required by the employer to provide proof of vaccination or receive the COVID-19 vaccine; and

(ii) A person required by the employer to provide proof of vaccination or receive the COVID-19 vaccine:

(a) Who is:

(1) Licensed, registered, certified, or permitted under title 63 or title 68 to administer

health care in the ordinary course of business or practice of a profession; or

(2) A student pursuing a course of study for the purpose of becoming licensed, registered, certified, or permitted under title 63 or title 68 to administer health care in the ordinary course of business or practice of a profession; and

(b) Who, as of the effective date of this act, has been granted permission by a facility licensed under title 33 or title 68 to be present in the facility to care for or attend to patients or for clinical education.

(b) An employer that requires a staff member to provide proof of vaccination or receive the COVID-19 vaccine shall grant the staff member an exemption to the requirement if:

(1) The staff member's request for a medical exemption is supported by a statement signed and dated by a physician licensed under title 63, chapter 6 or 9 that the staff member has a condition recognized under generally accepted medical standards as a basis for the medical exemption and provided by the physician pursuant to Section 2 of this act; or

(2) The staff member attests in writing, including by electronic means, that the staff member has a sincerely held religious belief that prevents the staff member from complying with the requirement in accordance with guidance from the federal centers for medicare and medicaid services.

(c) An employer described in subsection (b) shall not:

(1) Take longer than ten (10) business days to grant or deny the staff member's request for an exemption;

(2) Deny a request for an exemption without providing a written statement explaining why the request was denied;

(3) Discharge, threaten to discharge, or reduce the compensation, benefits, or hours of a staff member because the staff member has requested and been granted an exemption; or

(4) For an exemption based on a religious belief pursuant to subdivision (b)(2), require the staff member to provide further proof beyond the staff member's initial statement that the staff member has a sincerely held religious belief that prevents compliance and should be granted an exemption.

(d)

(1) This section does not:

(A) Impose a duty or liability on an employer for acts or omissions prior to the effective date of this act;

(B) Except as otherwise provided in subdivision (d)(2), require an employer to change a determination made prior to the effective date of this act; or

(C) Require an employer to take or refrain from an action contrary to enforceable requirements imposed by the federal centers for medicare and medicaid services.

(2) Notwithstanding subdivision (d)(1)(B), a staff member who was terminated for not complying with a COVID-19 vaccine mandate and that termination would have been covered by this section may reapply for employment and shall not be denied employment solely because the staff member sought an exemption prior to the effective date of this act.

(e) A violation of this section is punishable by a civil penalty of ten thousand dollars (\$10,000).

(f)

(1) The attorney general and reporter shall establish a process by which violations of this section may be reported.

(2) The attorney general and reporter may bring an action against an employer that violates this section to enjoin further violations and to recover a civil penalty of ten thousand dollars (\$10,000) per violation.

(3) A civil penalty collected pursuant to this section must be paid into the general fund of this state.

(4) The prevailing party in an action brought under subdivision (f)(2) is entitled to reasonable attorney's fees, court costs, and expenses, but court costs must not be taxed against the attorney general and reporter or this state in actions commenced under this section.

(5) Jurisdiction for an action brought pursuant to this section is in the chancery or circuit court of Williamson County or the chancery court in the county where the employer is located.

(g) Notwithstanding § 14-6-102, an employer is not exempt from this section.

(h) Notwithstanding this section, a person is not prohibited from requiring another person to provide proof of vaccination as a condition to entering that person's personal residence for purposes of providing products or services.

SECTION 2. Tennessee Code Annotated, Title 14, Chapter 4, is amended by adding the following as a new section:

A physician licensed under title 63, chapter 6 or 9, who provides a person with a signed statement that the person should be exempted from a mandatory COVID-19 vaccination policy, specifies the recognized clinical reason for the exemption, and does so in the context of a physician-patient relationship as determined and governed by the rules of the relevant health-related board is:

- (1) Acting within the physician's authorized scope of practice;
- (2) Immune from civil liability for such action; and

(3) Immune from disciplinary action by a health-related board for such action.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.